

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Criminal Action No.
)	07-00002-01-CR-W-GAF
Antwan Delonte Jones,)	
)	
Defendant.)	

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

Pursuant to the order of the Court en banc of the United States District Court for the Western District of Missouri, a pretrial conference was held in the above-entitled cause before me on January 30, 2008. Defendant Antwan Delonte Jones appeared in person and with Dan Viets. The United States of America appeared by Assistant United States Attorney Kate Mahoney.

I. BACKGROUND

On January 3, 2007, an indictment was returned charging defendant with one count of conspiracy to distribute and possess with intent to distribute phencyclidine (PCP) , in violation of 21 U.S.C. § 846¹, and one count of possession with intent to distribute PCP, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A). Defendant was arrested on December 14, 2007. Codefendant Shalanda Bryant pled guilty on February 1, 2007.

¹The original indictment mistakenly omitted “to distribute and to possess with intent to distribute”; however, that language was added by stipulation (see document number 48).

The following matters were discussed and action taken during the pretrial conference:

II. TRIAL COUNSEL

Ms. Mahoney announced that she will be the trial counsel for the government. The case agent to be seated at counsel table is Errol Riggins, KCPD Officer assigned to DEA.

Mr. Viets announced that he will be the trial counsel for defendant Antwan Delonte Jones. He will be assisted by Sheila Dundon.

III. OUTSTANDING MOTIONS

There are no pending motions in this case.

IV. TRIAL WITNESSES

Ms. Mahoney announced that the government intends to call 10 to 12 witnesses without stipulations or 8 to 10 witnesses with stipulations during the trial.

Mr. Viets announced that defendant Antwan Delonte Jones intends to call 3 to 4 witnesses during the trial. The defendant may testify.

V. TRIAL EXHIBITS

Ms. Mahoney announced that the government will offer approximately 35 to 40 exhibits in evidence during the trial.

Mr. Viets announced that defendant Antwan Delonte Jones will offer no exhibits in evidence during the trial.

VI. DEFENSES

Mr. Viets announced that defendant Antwan Delonte Jones will rely on the defense of general denial.

VII. POSSIBLE DISPOSITION

Mr. Viets stated this case may be for trial.

VIII. STIPULATIONS

Stipulations are likely as to chain of custody and chemist's reports.

IX. TRIAL TIME

Counsel were in agreement that this case will take 3 days to try.

X. EXHIBIT LIST, VOIR DIRE AND INSTRUCTIONS

The U. S. Magistrate Judge ordered:

That, in addition to the requirements of the Stipulations and Orders filed January 24, 2008, counsel for each party file and serve a list of exhibits he or she intends to offer in evidence at the trial of this case on the form entitled Exhibit Index and have all available exhibits premarked using the stickers provided by the Clerk of Court by January 30, 2008;

That counsel for each party file and serve requested jury voir dire examination questions by or before noon, Wednesday, February 6, 2008;

That counsel for each party file and serve, in accordance with the requirements of Local Rule 51.1, requested jury instructions by or before noon, Wednesday, February 6, 2008. Counsel are requested to provide proposed jury instructions in both hard copy form, as required by Local Rule 51.1, and by e-mail to the trial judge's courtroom deputy.

XI. UNUSUAL QUESTIONS OF LAW

Motions in limine on 404(b) evidence and prior bad acts will probably be filed.

There are no unusual questions of law.

XII. TRIAL SETTING

All counsel and the defendant were informed that this case will be listed for trial on the joint criminal jury trial docket which commences on February 11, 2008.

/s/ Robert E. Larsen
ROBERT E. LARSEN
U. S. Magistrate Judge

Kansas City, Missouri
January 30, 2008

cc: The Honorable Gary Fenner
Ms. Kate Mahoney
Mr. Dan Viets
Mr. Jeff Burkholder